

**DURHAM, NORTH CAROLINA
MONDAY, MARCH 20, 2000
7:30 P.M.**

The Durham City Council met in regular session on the above date and time in the Council Chambers at City Hall with the following members present: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Absent: Council Member Langley.

Also present: City Manager P. Lamont Ewell, City Attorney Henry Blinder, City Clerk D. Ann Gray and Acting Deputy City Clerk Linda Bratcher.

Mayor Tennyson called the meeting to order. At this time, he reported on the National League of Cities (NLC) Conference recently held in Washington, DC noting the trip was productive, seminars were very educational and that he was appointed to serve on the Information Technology Communications Steering Committee of the National League of Cities.

Mayor Pro Tempore Clement announced that on last Thursday, he participated in the Education Breakfast sponsored by the Durham Public Education Network. He urged his colleagues to join in the education initiative with others to help close the achievement gap in Durham Public Schools.

Mayor Tennyson announced that the Russell E. Blunt East Coast Invitational Track Meet will be held July 21-23, 2000 in Durham.

Council Member Blyth made comments on the National League of Cities Conference. On behalf of Commissioner Ellen Reckhow, she reminded Council about the Smart Growth Summit scheduled for Tuesday, March 21, 2000 at 7:00 p.m. in the Commissioners' Meeting Room.

Council Member Larson also commented on the NLC Conference, stating that the NLC's Transportation Infrastructure Steering Committee, which he serves on, had a productive meeting.

The Mayor asked for priority items from the City Manager, City Attorney and City Clerk. City Manager Ewell briefed Council on the merger of CCB and National Commerce Bancorporation. He asked the representatives from CCB to come before the Finance Committee at some point to share what the implications of the merger would be for the City of Durham. Relative to #1 [DUKE UNIVERSITY'S DRAFT MASTER PLAN] on the Consent Agenda, he stated that Dr. Tallman Trask, III will give a presentation on this item.

No priority items from the City Attorney and City Clerk.

Mayor Tennyson noted revisions to the Consent Agenda made at the Committee-of-the-Whole Meeting. Mayor Tennyson asked if any council member(s) or citizen(s) wanted to pull any item(s) from the Consent Agenda for discussion later in the meeting.

MOTION by Council Member Larson seconded by Council Member Jacobs to approve the Consent Agenda as amended was approved at 8:08 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

[CONSENT AGENDA]

SUBJECT: DUKE UNIVERSITY'S DRAFT MASTER PLAN

To receive a presentation by Dr. Tallman Trask, III on Duke University's Draft Master Plan.

Dr. Tallman Trask, III, of Duke University, gave a presentation on the Duke University's Master Plan. He noted that the plan will include illustrative maps of future development and gave an overview of eight principles and goals for the Duke Campus. In addition, Dr. Trask stated that this document will go before the Duke Board of Trustees for approval at their May meeting.

Mayor Pro Tempore Clement thanked Duke University for its involvement in the community.

Council Members held discussion on transit stops, walkable campus, and Council working as a team to implement the goals and principles of the plan.

MOTION by Council Member Larson seconded by Council Member Jacobs to receive a presentation by Dr. Tallman Trask, III on Duke University's Draft Master Plan was approved at 8:08 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

SUBJECT: DURHAM AREA TRANSIT AUTHORITY APPOINTMENTS

MOTION by Council Member Larson seconded by Council Member Jacobs to re-appoint Jeremy J. Raw, Regular Member representing Bus Rider, and Joyce Young Evans, Alternate Member representing At-Large, with terms expiring March 1, 2003 was approved at 8:08 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

SUBJECT: TWO-YEAR LEASE AGREEMENT BETWEEN THE CITY OF DURHAM AND THE SALVATION ARMY, INC. - T. A. GRADY RECREATION CENTER

MOTION by Council Member Larson seconded by Council Member Jacobs to authorize the City Manager to execute a two-year Lease Agreement with the Salvation Army, Inc. for lease of the T. A. Grady Recreation Center was approved at 8:08 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

SUBJECT: AYUNTAMIENTO DE MERIDA, ESTADO DE YUCATAN, MEXICO - THE DECLARATION OF MERIDA READS

MOTION by Council Member Larson seconded by Council Member Jacobs to adopt the "Declaration of Merida (Yucatan, Mexico) American Capital of Culture Year 2000" was approved at 8:08 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

SUBJECT: SITE PLAN APPROVAL - HAMILTON CENTER

MOTION by Council Member Larson seconded by Council Member Jacobs to approve a site plan for Hamilton Center, submitted by R. L. Horvath Associates, Inc., consisting of three buildings totalling 44,150 square feet, proposed on 4.84 acres, zoned OI-1(D) and F/J-B, located south of N. C. Highway 54 and west of N. C. Highway 751 (Tax Map Number 428-2-12 and 13; PIN Numbers 0718-01-09-7074 and 0718-01-08-8670) was approved at 8:08 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

SUBJECT: PRELIMINARY PLAT APPROVAL - BARBEE MEADOWS

MOTION by Council Member Larson seconded by Council Member Jacobs to approve a preliminary plat for the Barbee Meadows, submitted by Duane K. Stewart & Associates, consisting of a 53 single family lot subdivision on a 17.28 acre tract, zoned PDR-3.07, in the F/J-B watershed, located on the west side of Barbee Road, south of Obie Drive (Tax Map 520, Block 03, Parcels 10, 11, 12, 12A, 24; PIN Numbers 0729-04-51-5231, 0729-04-51-9350, 0729-04-51-5478, 0729-04-51-1597, 0729-03-41-6232) was approved at 8:08 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

SUBJECT: POSTING OF DEVELOPMENT REVIEW SITE SIGNS

MOTION by Council Member Larson seconded by Council Member Jacobs to receive a report from the Administration concerning possible changes to the method of posting of site signs for development review cases was approved at 8:08 p.m. by the following vote: Ayes: Mayor Tennyson,

Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

SUBJECT: VOLUNTARY ANNEXATION PETITIONS SUBMITTED PRIOR TO JANUARY 1, 2000 [ADLETT PARK, RENAISSANCE CENTER, LAKE UNITY DEVELOPMENT, RIDGEWOOD II, PAGE ROAD MIXED USE DEVELOPMENT AND STONE HILL VII]

MOTION by Council Member Larson seconded by Council Member Jacobs to receive a report from the Administration on the following voluntary annexation petitions: Adlett Park, Renaissance Center, Lake Unity Development, Ridgewood II, Page Road Mixed Use Development and Stone Hill VII; and

To accept the City Clerk's certification of ownership as required by N.C. General Statutes 160A-58 and 160A-31; and

To adopt resolutions setting public hearings on Monday, April 3, 2000 to receive citizens' comments on the voluntary petition annexations for Adlett Park, Renaissance Center, Lake Unity Development, Ridgewood II and Stone Hill VII was approved at 8:08 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

[NOTE: Page Road Mixed Use Development removed from consideration at this time]

SUBJECT: REPORT ON THE REPLACEMENT OF BRIDGE NO. 42 ON CHAPEL HILL ROAD OVER CHAPEL HILL BOULEVARD

MOTION by Council Member Larson seconded by Council Member Jacobs to receive a presentation from the North Carolina Department of Transportation concerning a revised recommended alternate design for the replacement of Bridge No. 42 was approved at 8:08 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

SUBJECT: LARGE WATER METER TESTING AND EVALUATION CONTRACT - METRO METER SERVICE, INC.

MOTION by Council Member Larson seconded by Council Member Jacobs to authorize the City Manager to enter into a contract with Metro Meter Service, Inc. in the amount of \$110,500 for the testing of large water meters serving commercial, industrial and large residential customers was approved at 8:08 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and

Wagstaff. Noes: None. Absent: Council Member Langley.

SUBJECT: WATER AND SEWER EXTENSION AGREEMENT - J. L. CONCRETE, INC. - ADLETT PARK,

MOTION by Council Member Larson seconded by Council Member Jacobs to authorize the City Manager to enter into a Water and Sewer Extension Agreement with J. L. Concrete, Inc. to extend City water and sewer to serve Adlett Park, a 13.82 acre, 38 single family residential subdivision located on Adlett Lane east of Mineral Springs Road was approved at 8:08 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

SUBJECT: WATER AND SEWER EXTENSION AGREEMENT - MIDLAND ATLANTIC DEVELOPMENT COMPANY - RENAISSANCE CENTER

MOTION by Council Member Larson seconded by Council Member Jacobs to authorize the City Manager to enter into a Water and Sewer Extension Agreement with Midland Atlantic Development Company to extend City water and sewer to serve Renaissance Center, a 52.76 acre mixed used development located in the southeast quadrant of Fayetteville and Herndon Roads was approved at 8:08 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

SUBJECT: WATER EXTENSION AGREEMENT - PAGE ROAD ASSOCIATES, LLC - ARRINGTON

MOTION by Council Member Larson seconded by Council Member Jacobs to authorize the City Manager to enter into a Water Extension Agreement with Page Road Associates, LLC to extend City water to serve Arrington, a 95 acre mixed use commercial and residential complex located on the east side of Page Road and south of Comstock Road was approved at 8:08 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

SUBJECT: BRIDGE INSPECTIONS - MUNICIPAL AGREEMENT WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

MOTION by Council Member Larson seconded by Council Member Jacobs to adopt a resolution authorizing the City Manager to enter into a Municipal Agreement with the North Carolina Department of Transportation for the reinspection of bridges on the Municipal Street System (F A Project BRZ-NBIS (9) was approved at 8:08 p.m. by the following vote: Ayes: Mayor Tennyson,

Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

SUBJECT: DURHAM BULLS ATHLETIC PARK - FY 2000 AND FY 2001 SEASONAL CLEANING CONTRACT - ASSOCIATED CLEANING CONSULTANTS AND SERVICES, INC.

MOTION by Council Member Larson seconded by Council Member Jacobs to authorize the City Manager to execute a two-year service contract with Associated Cleaning Consultants and Services, Inc. in the base amount of \$468,300 [\$234,150 annually] for seasonal cleaning at the Durham Bulls Athletic Park was approved at 8:08 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

SUBJECT: TWENTY-FIVE MILE PER HOUR SPEED LIMIT - FISHER HEIGHTS COMMUNITY

MOTION by Council Member Larson seconded by Council Member Jacobs to adopt an ordinance authorizing a speed limit of 25 mph at the following locations was approved at 8:08 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

- a. Timothy Avenue from Fayetteville Street to Four Seasons Drive,
- b. Facade Street from Timothy Avenue to end of City maintenance,
- c. Four Seasons Drive from Timothy Avenue to the end of City maintenance,
- d. Mirando Place from Four Seasons Drive to end of City maintenance,
- e. Dauphine Place from Four Seasons Drive to end of City maintenance,
- f. Trelea Drive from Fayetteville Street to Four Seasons Drive,
- g. Arlington Street from Timothy Avenue to Trelea Drive,
- h. Trident Place from Arlington Street to the end of City maintenance, and
- i. Bonsell Place from Trelea Drive to the end of City maintenance.

SUBJECT: STOP SIGNS - ROSEHILL

MOTION by Council Member Larson seconded by Council Member Jacobs to adopt an ordinance authorizing the installation of stop signs at the following locations was approved at 8:08 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

- a. Shelby Avenue at Kirby Street, southwest corner, and
- b. Texanna Circle at Shelby Avenue, southeast corner.

SUBJECT: SIDEWALK ON HOLLOWAY STREET (SOUTH SIDE) FROM FAYE STREET TO NORTH MIAMI BOULEVARD - SETTING PUBLIC HEARING FOR CONFIRMATION OF THE ASSESSMENT ROLL

MOTION by Council Member Larson seconded by Council Member Jacobs to adopt a resolution setting a public hearing on Monday, April 3, 2000 for confirmation of the assessment roll for sidewalk on Holloway Street (south side) from Faye Street to North Miami Boulevard was approved at 8:08 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

SUBJECT: SEWER MAIN ON RIDDLE ROAD FROM EAST PROPERTY LINE TAX MAP 557-3-6 TO WEST PROPERTY LINE TAX MAP 566-2-26 - SETTING PUBLIC HEARING TO CONSIDER ORDERING THE IMPROVEMENT UNDER THE ENABLING ACT AUTHORITY

MOTION by Council Member Larson seconded by Council Member Jacobs to adopt a resolution setting a public hearing on Monday, April 3, 2000 to consider ordering sewer main improvements on Riddle Road from east property line Tax Map 557-3-6 to west property line Tax Map 566-2-26 under the Enabling Act Authority was approved at 8:08 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

SUBJECT: CITY COUNCIL MINUTES - CITY CLERK'S OFFICE

MOTION by Council Member Larson seconded by Council Member Jacobs to approve the official minutes of the following City Council Meetings was approved at 8:08 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

**December 6, 1999 - Regular Meeting
January 3, 2000 - Regular Meeting
January 3, 2000 - Special Meeting
January 18, 2000 - Regular Meeting
January 31, 2000 - Special Meeting
February 14, 2000 - Special Meeting
February 29, 2000 - Special Meeting**

[GENERAL BUSINESS AGENDA]

SUBJECT: CITY COUNCIL PROCEDURES – REVISIONS

At this time, a citizen requested to be heard on this item.

MOTION by Council Member Jacobs seconded by Mayor Pro Tempore Clement to suspend the rules to allow citizens to comment on GBA #13 [CITY COUNCIL PROCEDURES - REVISIONS] was approved at 8:09 p.m. by the following vote: Ayes: Mayor Pro Tempore Clement and Council Members Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: Mayor Tennyson and Council Member Blyth. Absent: Council Member Langley.

Lavonia Allison, of 1315 McLaurin Avenue, spoke in opposition to some of the revisions noting concerns with the ending time for Council meetings, citizens pulling items from the Consent Agenda, the Mayor shall rule out of order any debate or comment not relevant to a matter, and placing a time limit for citizens to speak.

[NOTE: This item, City Council Procedures – Revisions, was voted on later in the meeting].

[PUBLIC HEARINGS]

[ASSESSMENTS]

**SUBJECT: CURB, GUTTER AND PAVING - RICHSAND STREET FROM
COLEWOOD DRIVE TO DEWITT STREET AND DEWITT STREET
FROM RICHSAND STREET NORTH TO END OF STREET
MAINTENANCE**

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations, the public hearing was declared closed.

MOTION by Council Member Larson seconded by Mayor Pro Tempore Clement to adopt a resolution confirming the assessment roll for curb, gutter and paving on Richsand Street from Colewood Drive to Dewitt Street and Dewitt Street from Richsand Street north to end of street maintenance was approved at 8:13 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

**SUBJECT: CURB, GUTTER AND PAVING - TUCKAWANNA AVENUE FROM
JOYLAND AVENUE TO ADAMS STREET**

Due to an objection, Lee Murphy of the Public Works Department, requested that the property of

Joseph and Helen Moore be referred to the Public Works Committee.

Mayor Tennyson opened the public hearing. There being no further objections and/or allegations, the public hearing was declared closed.

MOTION by Council Member Larson seconded by Mayor Pro Tempore Clement to adopt a resolution confirming the assessment roll for curb, gutter and paving on Tuckawanna Avenue from Joyland Avenue to Adams Street and to refer the property of Joseph and Helen Moore to the Public Works Committee was approved at 8:14 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

SUBJECT: CURB, GUTTER AND PAVING - RETA ROAD FROM WINSTON ROAD TO DUKE STREET

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations, the public hearing was declared closed.

MOTION by Council Member Larson seconded by Council Member Jacobs to adopt a resolution confirming the assessment roll for curb, gutter and paving on Reta Road from Winston Road to Duke Street was approved at 8:14 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

SUBJECT: CURB, GUTTER AND PAVING - EDGEVALE ROAD FROM MARKHAM AVENUE TO GREEN STREET (1200 BLOCK)

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations, the public hearing was declared closed.

MOTION by Council Member Larson seconded by Council Member Jacobs to adopt a resolution confirming the assessment roll for curb, gutter and paving on Edgevale Road from Markham Avenue to Green Street (1200 Block) was approved at 8:15 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

[IMPROVEMENTS]

SUBJECT: SEWER MAIN - SOUTH ALSTON AVENUE FROM SOUTH PROPERTY LINE OF TAX MAP 406-3-5 TO NORTH PROPERTY LINE OF TAX MAP 406-3-8 (ENABLING ACT AUTHORITY)

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations, the public hearing was declared closed.

MOTION by Council Member Larson seconded by Council Member Jacobs to adopt a resolution ordering sewer main on South Alston Avenue from south property line of Tax Map 406-3-5 to north property line of Tax Map 406-3-8 under the Enabling Act Authority was approved at 8:15 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

SUBJECT: SIDEWALK - BROAD STREET (EAST SIDE) FROM SPRUNT AVENUE TO GUESS ROAD (ENABLING ACT AUTHORITY)

To adopt a resolution ordering sidewalk on Broad Street (east side) from Sprunt Avenue to Guess Road under the Enabling Act Authority.

Due to an objection, Lee Murphy of the Public Works Department, requested Council to continue the public hearing without further advertising and to refer the entire improvement to the Public Works Committee.

MOTION by Council Member Larson seconded by Council Member Jacobs to continue public hearing without further advertising and to refer this item to the Public Works Committee was approved at 8:16 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

SUBJECT: SIDEWALK - GUESS ROAD (SOUTH SIDE) FROM BROAD STREET TO WEST PROPERTY LINE TAX MAP 285-3-2A (ENABLING ACT AUTHORITY)

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations, the public hearing was declared closed.

MOTION by Council Member Larson seconded by Council Member Jacobs to adopt a resolution ordering sidewalk on Guess Road (south side) from Broad Street to west property line Tax Map 285-3-2A under the Enabling Act Authority was approved at 8:16 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council

Member Langley.

SUBJECT: WATER MAIN - NORTH WILLOWHAVEN DRIVE FROM UMSTEAD ROAD TO RUSSELL ROAD

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations, the public hearing was declared closed.

MOTION by Council Member Larson seconded by Council Member Jacobs to adopt a resolution ordering water main improvements on North Willowhaven Drive from Umstead Road to Russell Road was approved at 8:17 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

SUBJECT: ADULT ESTABLISHMENTS - SUPPLEMENTARY REQUIREMENTS

An Ordinance to Amend the Standards of the Durham Zoning Ordinance, Section 24 of the Durham City Code, Regarding Supplementary Requirements for Adult Establishments

MOTION by Council Member Larson seconded by Council Member Jacobs to postpone the public hearing on this item until the April 3, 2000 City Council Meeting was approved at 8:17 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

SUBJECT: ZONING MATTER CASE: P99-46, INDEPENDENCE PARK, EAST OF ROXBORO ROAD AND NORTH OF CARVER STREET - GARY HOCK

Case: P99-46

Applicant: Gary Hock

Location: 51.78-acre site located east of Roxboro Road and North of Carver Street, in Independence Park (Tax Map 742, Block 1, Lots 8, 8A, 9, 9E)

Request: Rezoning from PDR-10 (Planned Density Residential with a maximum of 10 units per acre), OI-1(D) (Transitional Office and Institutional District with a Development Plan) and OI-2(D) (General Office and Institutional District with a Development Plan) to OI-2(D) (General Office and Institutional District with a Development Plan) and GC(D) (General Commercial District with a Development Plan)

To adopt an ordinance amending the Zoning Ordinance, the same being Chapter 24 of the Durham City Code, by taking the above described property out of PDR-10, OI-1(D) and OI-2(D) and placing same in and establishing same as OI-2(D) and GC(D).

City/County Zoning Committee's Recommendation and Vote: Approval (6-1)

City/County Planning Department's Recommendation: Approval

Shelia Stains-Ramp, of the City/County Planning Department, briefed Council on the staff report.

Proponent

Stephanie Powell, representing the applicant, spoke in support of this rezoning noting the applicant would like to move forward with the continued development of Independence Park. She gave an update on the projects that have been completed, projects under construction and what is planned for this rezoning.

Opponent

Larry Holt, of 5121 Old Well Street, spoke in opposition noting the rezoning is not in conformance with the North Durham Plan. He stated the plan needs to be reviewed, the review needs to involve the citizens in the area, and all rezonings need to be discontinued to avoid any further violations of the plan. From a traffic standpoint, he asked why would elected officials approve a project without the traffic impact analysis being prepared first. He urged Council not to approve the rezoning request until the North Durham Plan has been reassessed and approved.

Rebuttal

Stephanie Powell, representing the applicant, stated the applicant was not aware of any opposition to the rezoning and addressed Mr. Holt's comment regarding the rezoning request. In reference to the traffic analysis, she noted that the Transportation Division's analysis of the impact was not significant enough to require a full TIA at the time of the rezoning, but that one would be submitted and no further site plan approval would be made until the traffic analysis was submitted.

The public hearing was closed by the Mayor.

Council Member Edwards asked staff when would the traffic impact analysis be prepared.

Earl Lewellyn, of the Transportation Division, noted a TIA was done with the original rezoning of this property and a number of thresholds were set for improvements to be made, and for reanalysis to be done. He stated any additional building that is submitted for site plan would require a TIA.

Council Member Stith disclosed to Council that he does operate a business in the area, but will not benefit from this rezoning.

Mayor Pro Tempore Clement asked staff if this rezoning is in conformance with the small area plan.

Shelia Stains-Ramp, of the City/County Planning Department, replied yes.

Council Member Burnette noted that she would not support this matter because of buffer and traffic

concerns and issues raised by Mr. Holt.

Council Member Blyth noted concerns with the development not conforming with the plan. She noted that Council would need to review these plans and make decisions that are in concert with them.

MOTION by Council Member Larson seconded by Council Member Jacobs to adopt an ordinance amending the Zoning Ordinance, the same being Chapter 24 of the Durham City Code, by taking the above described property out of PDR-10, OI-1(D) and OI-2(D) and placing same in and establishing same as OI-2(D) and GC(D) was approved at 8:47 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Cheek, Hill, Jacobs, Larson, McKissick and Stith. Noes: Council Members Blyth, Burnette, Edwards and Wagstaff. Absent: Council Member Langley.

SUBJECT: ZONING MATTER CASE: P99-80, CALBAR INVESTMENT CORPORATION, SOUTH OF RIDDLE ROAD AND DURHAM & SOUTHERN RAILROAD AT BRIGGS AVENUE

Case: P99-80

Applicant: Calbar Investment Corporation

Location: 19.629 acres, south of Riddle Road and Durham & Southern Railroad at Briggs Avenue (Tax Map Numbers 406-1-3, 406-1-3C and 566-3-24A; PIN Numbers 0830-15-52-8702, 0830-15-63-2263 and 0830-04-62-2346)

Request: Rezoning from I-3(D) (Heavy Industrial District with a Development Plan) to I-2(D) (Light Industrial District with a Development Plan)

To adopt an ordinance amending the Zoning Ordinance, the same being Chapter 24 of the Durham City Code, by taking the above described property out I-3(D) and placing same in and establishing same as I-2(D).

City/County Zoning Committee's Recommendation and Vote: Approval (7-0)

City/County Planning Department's Recommendation: Approval

Shelia Stains-Ramp, of the City/County Planning Department, briefed Council on the staff report.

The public hearing was opened by the Mayor.

Proponent

Sam Brockwell, the applicant, spoke in support of this item asking Council to pass this project.

No one spoke in opposition to this proposal.

The public hearing was closed by the Mayor.

A motion was made by Council Member Larson seconded by Mayor Pro Tempore Clement to move this item as printed on the agenda.

Council Member Hill disclosed that he has a business relationship with the stockholders of Calbar Investment Corporation, but has no financial interest whatsoever in this project.

Council Member McKissick asked staff about the roundabout for this area mentioned in the staff report.

Earl Lewellyn, of the Transportation Division, noted that the concept for a roundabout was brought up by one of the Zoning Committee members as a traffic control treatment at the intersection of Briggs Avenue and Riddle Road. Further, he stated at this point, we don't believe that a signal would be warranted, but we would, as mentioned to the Zoning Committee member, be happy to examine that as an alternative when traffic reaches that point.

Council Member McKissick asked staff to keep Council informed on this matter.

MOTION by Council Member Larson seconded by Mayor Pro Tempore Clement to adopt an ordinance amending the Zoning Ordinance, the same being Chapter 24 of the Durham City Code, by taking the above described property out I-3(D) and placing same in and establishing same as I-2(D) was approved at 8:08 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

SUBJECT: PROPOSED ZONING ORDINANCE TEXT AMENDMENTS - TRAVEL DEMAND MANAGEMENT [TMD] INITIATIVES, ADDITIONAL PARKING IN THE MIXED USE [MU] ZONING DISTRICT, NOTICES OF ZONING VIOLATIONS

Council Member McKissick asked that the following text amendments be severed.

a. An Ordinance to Amend the Durham Zoning Ordinance Regarding Standards to Improve Travel Demand Management [TMD] Initiatives (TC 94-00)

Mayor Tennyson opened the public hearing and no one spoke in support or opposition to this item.

The public hearing was closed by the Mayor.

MOTION by Council Member Larson seconded by Mayor Pro Tempore Clement to receive citizens' comments regarding the proposed amendment; and

To adopt "An Ordinance to Amend the Durham Zoning Ordinance Regarding Standards to Improve Travel Demand Management [TMD] Initiatives" was approved at 8:51 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth,

Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None.
Absent: Council Member Langley.

b. An Ordinance to Amend the Durham Zoning Ordinance to Provide for Additional Parking in the Mixed Use [MU] Zoning District in Certain Circumstances (TC 95-00)

Mayor Tennyson opened the public hearing and no one spoke in support or opposition to this item.

The public hearing was closed by the Mayor.

MOTION by Council Member Larson seconded by Mayor Pro Tempore Clement to receive citizens' comments regarding the proposed amendment; and

To adopt "An Ordinance to Amend the Durham Zoning Ordinance to Provide for Additional Parking in the Mixed Use [MU] Zoning District in Certain Circumstances" was approved at 8:51 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None.
Absent: Council Member Langley.

c. An Ordinance to Amend the Durham Zoning Ordinance Regarding Standards for Obsolete Signs and the Repair and Storage of Junked Vehicles (TC 96-00)

Mayor Tennyson opened the public hearing and no one spoke in support or opposition to this item.

The public hearing was closed by the Mayor.

MOTION by Council Member Larson seconded by Mayor Pro Tempore Clement to receive citizens' comments regarding the proposed amendment; and

To adopt "An Ordinance to Amend the Durham Zoning Ordinance Regarding Standards for Obsolete Signs and the Repair and Storage of Junked Vehicles" was approved at 8:52 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, Stith and Wagstaff. Noes: Council Member McKissick. Absent: Council Member Langley.

d. An Ordinance to Amend the Durham Zoning Ordinance to Allow Notices of Zoning Violations to be Sent by First Class Mail (TC 97-00)

Mayor Tennyson opened the public hearing and no one spoke in support or opposition to this item.

The public hearing was closed by the Mayor.

MOTION by Council Member Larson seconded by Mayor Pro Tempore Clement to receive citizens' comments regarding the proposed amendment; and

To adopt "An Ordinance to Amend the Durham Zoning Ordinance to Allow Notices of Zoning Violations to be Sent by First Class Mail" was approved at 8:52 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, Stith and Wagstaff. Noes: Council Member McKissick. Absent: Council Member Langley.

Joint City/County Planning Committee's Recommendation: Approval

Zoning Committee of the Planning Commission's Recommendation: Approval

[OTHER MATTERS]

SUBJECT: CITY COUNCIL PROCEDURES - REVISIONS

To adopt revisions to the City Council Procedures as listed.

Ty Cox, of 4419 Sun Valley Drive, expressed concerns with the debate limit for Council, the consequence for citizens pulling items from the Consent Agenda, and the Chair controlling what items will be placed on the agenda.

Council Member Jacobs made comments on what led to the recommendations to the Council Procedures.

A motion was made by Council Member Jacobs seconded by Council Member Hill to adopt the revisions to the Council Procedures, except for Item #6 (Page 10) and Item #5 (Page 25) both dealing with a time limit for debate for Council Members.

Mayor Pro Tempore Clement expressed concern about the length of meetings. He noted that he cannot support what is being proposed, except for Council meetings beginning at 7:00 p.m.

Council Member McKissick asked that revisions to the Council Procedures be severed.

Council Member McKissick identified concerns with the ending time for meetings, citizens pulling items from the Consent Agenda, chairs approving what goes on the agenda, and Committee members being recognized to speak before other members of Council.

Council Members Hill, Stith, Larson and Cheek spoke in support of the City Council Procedures revisions.

Council Member Jacobs offered clarification to some of the revisions.

Council Member Wagstaff spoke in support of revisions with the exception of the time limit for citizens to speak.

Council Member Edwards made a friendly amendment to approve revisions for 90 days and after that time period, come back and re-evaluate them.

Council Member Jacobs accepted the friendly amendment.

Council Member Blyth spoke in opposition to the revisions noting concerns with the ending time limit, citizens pulling items from the Consent Agenda, the number of resolutions brought forth by Council members and items being added to the agenda by the Chair.

Mayor Tennyson stated that revisions to the Council Procedures will be severed.

MOTION by Council Member Jacobs seconded by Council Member Hill to adopt revisions to the Council Procedures with the exception of Item #6 (Page 10) and Item #5 (Page 25) dealing with debate limits for Council Members and to re-evaluate revisions in 90 days: .

1. ***Regular Meetings of the City Council [first and third Mondays of each month] shall begin at 7:00 p.m. [Page 3].***

MOTION by Council Member Jacobs seconded by Council Member Hill to approve that regular meetings of the City Council the first and third Mondays of each month shall begin at 7:00 p.m. was approved at 9:46 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: Council Member Burnette. Absent: Council Member Langley.

2. ***Regular Meetings continuing beyond 10:00 P.M. may be recessed by any Council Member requesting that a vote be taken on the question of whether the meeting should continue further [Page 3].***

SUBSTITUTE MOTION by Council Member McKissick seconded by Council Member Blyth to approve revision that regular Meetings continuing beyond 10:30 P.M. may be recessed by any Council Member requesting that a vote be taken on the question of whether the meeting should continue further **FAILED** at 9:47 p.m. by the following vote: Ayes: Council Members Blyth, Burnette and McKissick. Noes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Cheek, Edwards, Hill, Jacobs, Larson, Stith and Wagstaff. Absent: Council Member Langley.

MOTION by Council Member Jacobs seconded by Council Member Hill to approve revision that regular Meetings continuing beyond 10:00 P.M. may be recessed by any Council Member requesting that a vote be taken on the question of whether the meeting should continue further was approved 9:47 p.m. by the following vote: Ayes: Mayor Tennyson and Council Members Burnette, Cheek, Edwards, Hill, Jacobs, Larson, Stith and Wagstaff. Noes: Mayor Pro Tempore Clement and Council Members Blyth and McKissick. Absent: Council Member Langley.

3. ***Meetings shall recess until 7:00 P.M. on the following night [unless the next day is a***

holiday, in which case the meeting shall reconvene at 7:00 P.M. on the next day that is not a holiday , even though the meeting continues beyond 10:00 for this purpose [Page 4].

MOTION by Council Member Jacobs seconded by Council Member Hill to approve revision that meetings shall recess until 7:00 P.M. on the following night [unless the next day is a holiday, in which case the meeting shall reconvene at 7:00 P.M. on the next day that is not a holiday , even though the meeting continues beyond 10:00 for this purpose was approved at 9:48 p.m. by the following vote: Ayes: Mayor Tennyson and Council Members Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: Mayor Pro Tempore Clement and Council Members Blyth and Burnette. Absent: Council Member Langley.

4. *A citizen who removes a matter from the Consent Agenda and then does not remain at the meeting until the matter is considered shall lose the privilege of removing additional matters from the Consent Agenda for a period of one year. This rule shall not apply where the citizen is excused by Council prior to leaving the meeting due to hardship [Page 6].*

SUBSTITUTE MOTION by Council Member McKissick seconded by Council Member Edwards to approve revision that a citizen shall lose its privilege if they pull two items from the Consent Agenda within a 60-day period that go unexcused **FAILED** at 9:49 p.m. by the following vote: Ayes: Council Members Burnette, Edwards, McKissick and Wagstaff. Noes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Cheek, Hill, Jacobs, Larson and Stith. Absent: Council Member Langley.

MOTION by Council Member Jacobs seconded by Council Member Hill to approve revision that a citizen who removes a matter from the Consent Agenda and then does not remain at the meeting until the matter is considered shall lose the privilege of removing additional matters from the Consent Agenda for a period of one year. This rule shall not apply where the citizen is excused by Council prior to leaving the meeting due to hardship **FAILED** at 9:49 p.m. by the following vote: Ayes: Mayor Tennyson and Council Members Cheek, Hill, Jacobs, Larson and Stith. Noes: Mayor Pro Tempore Clement and Council Members McKissick, Blyth, Edwards, Wagstaff and Burnette. Absent: Council Member Langley.

5. *No more than two resolutions honoring persons may be submitted by a Council Member and no more than thirty such resolutions may be submitted cumulatively by Council Members during a fiscal year [Page 8].*

MOTION by Council Member Jacobs seconded by Council Member Hill to approve revision that no more than two resolutions honoring persons may be submitted by a Council Member and no more than thirty such resolutions may be submitted cumulatively by Council Members during a fiscal year was approved at 9:49 p.m. by the following vote: Ayes: Mayor Tennyson and Council Members Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: Mayor Pro Tempore Clement and Council Members Blyth and

Burnette. Absent: Council Member Langley.

6. ***Council Member should contact the Chair of the Committee to request the Chair to place an item on the agenda [Page 25 (b)].***

MOTION by Council Member Jacobs seconded by Council Member Hill to approve revision that Council Member should contact the Chair of the Committee to request the Chair to place an item on the agenda was approved 9:51 p.m. by the following vote: Ayes: Mayor Tennyson and Council Members Cheek, Edwards, Hill, Jacobs, Larson, Stith and Wagstaff. Noes: Mayor Pro Tempore Clement and Council Members Blyth, Burnette and McKissick. Absent: Council Member Langley.

7. ***A Committee Member may add a matter to the agenda approved by a majority vote of the members of the committee present at the meeting [Page 25(c2)].***

MOTION by Council Member Jacobs seconded by Council Member Hill to approve revision that a Committee Member may add a matter to the agenda approved by a majority vote of the members of the committee present at the meeting was approved at 9:52 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley

8. ***Committee members shall be recognized for comments before other members of Council attending the committee meeting [Page 25 (4)].***

A substitute motion was made by Council Member McKissick to approve revision that Committee members shall be recognized for comments before other members of Council attending the committee meeting except during budget deliberations. Motion fails for lack of a second.

MOTION by Council Member Jacobs seconded by Council Member Hill to approve revision that Committee members shall be recognized for comments before other members of Council attending the committee meeting was approved at 9:54 p.m. by the following vote: Ayes: Mayor Tennyson and Council Members Cheek, Edwards, Hill, Jacobs, Larson, Stith and Wagstaff. Noes: Mayor Pro Tempore Clement and Council Members McKissick, Blyth and Burnette. Absent: Council Member Langley.

9. ***Citizens shall not speak for more than five minutes on any matter when addressing the committee. In the interest of time or to apportion time among speakers, the Chair may reduce the time allocated to each person and cumulatively limit the time of all proponents or opponents to a matter. The committee may, however, by a majority vote of those present, extend or limit the time of any speaker [Page 26 (6)].***

MOTION by Council Member Jacobs seconded by Council Member Hill to approve revision that Citizens shall not speak for more than five minutes on any matter when addressing the committee. In the interest of time or to apportion time among speakers, the

Chair may reduce the time allocated to each person and cumulatively limit the time of all proponents or opponents to a matter. The committee may, however, by a majority vote of those present, extend or limit the time of any speaker was approved at 9:54 by the following vote: Ayes: Mayor Tennyson and Council Members Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: Mayor Pro Tempore Clement and Council Members Blyth and Burnette. Absent: Council Member Langley.

10. ***The Chair may rule “out of order” any comments which personally criticize or are disrespectful to citizens, city staff or other members of council [Page 26 (7)].***

MOTION by Council Member Jacobs seconded by Council Member Hill to approve revision that the Chair may rule “out of order” any comments which personally criticize or are disrespectful to citizens, city staff or other members of council was approved at 9:55 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: Council Member Burnette. Absent: Council Member Langley.

11. ***A standing committee may not hear a matter within the designated area of responsibility of the other committee [Page 27].***

MOTION by Council Member Jacobs seconded by Council Member Hill to approve revision that a standing committee may not hear a matter within the designated area of responsibility of the other committee was approved at 9:55 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

12. ***Establishment of a Personnel Committee and approved by the City Council on March 6, 2000 shall be made a part of the rules of procedures [Page 28].***

MOTION by Council Member Jacobs seconded by Council Member Hill to approve revision that the establishment of a Personnel Committee approved by the City Council on March 6, 2000 shall be made a part of the rules of procedures was approved at 9:55 p.m. by the following vote: Ayes: Mayor Tennyson and Council Members Blyth, Burnette, Cheek, Edwards, Hill Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: Mayor Pro Tempore Clement. Absent: Council Member Langley.

13. ***Upon agreement of both parties involved, and approval by the City Council, Council Members may transfer funds among themselves [Page 1, Travel Policy].***

MOTION by Council Member Jacobs seconded by Council Member Hill to approve revision that upon agreement of both parties involved, and approval by the City Council, Council Members may transfer funds among themselves was approved at 9:56 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: Council Member Burnette. Absent: Council Member Langley.

MOTION by Council Member Hill seconded by Council Member Jacobs to set a two-hour Special City Council Meeting by April 30, 2000 to discuss time limits for Council debate was approved at 9:58 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

SUBJECT: LEGISLATIVE PROGRAM - SHORT SESSION

To consider the list of proposals and select those proposals to be included in the Legislative Program for the Short Session.

Mayor Pro Tempore Clement noted for clarification that the previous Council approved a Resolution asking that a request be made to the state delegation to seek a moratorium on the death penalty and wanted to know the status of this issue.

City Attorney Henry Blinder noted that this item is not part of this legislative program.

Mayor Pro Tempore Clement requested the City Attorney to add the issue to the 2001 Legislative Agenda [Long Session].

City Attorney Blinder stated that he will seek clarification that Council previously had approved that resolution for inclusion in the 2001 Legislative program.

Council Member McKissick asked the City Clerk and City Attorney to review the minutes of the meeting discussing this issue.

Council Member McKissick asked that this item be referred to the appropriate committee.

A motion was made by Council Member Larson seconded by Council Member Wagstaff to approve this item as printed on the agenda.

SUBSTITUTE MOTION by Council Member McKissick seconded by Council Member Blyth to to refer this matter to the appropriate committee was approved at 10:06 p.m. by the following vote: Ayes: Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, McKissick, Stith and Wagstaff. Noes: Mayor Tennyson and Council Member Larson. Absent: Council Member Langley.

There being no further business to come before the Council, the meeting was adjourned at 10:06 p.m.

D. Ann Gray, CMC
City Clerk